

JANUARY 9, 2014

TIM DEFOGGI # 11078
 387 N. CHESTNUT ST
 WAMOO, NE 68066

RECEIVED

JAN 13 2014

THOMAS D. THALKEN
U.S. MAGISTRATE JUDGEFILED
US DISTRICT COURT
DISTRICT OF NEBRASKA

JAN 14 2014

OFFICE OF THE CLERK

HONORABLE THOMAS D. THALKEN
 US COURTHOUSE
 111 SOUTH 18TH PLAZA, SUITE 2271
 OMAHA, NE 68102

RE: REQUEST FOR ACCEPTANCE OF PRO SE
 COMMUNICATION UNDER RULE NE GEN R
 1.3 (i), COMMUNICATION WITH THE COURT;
 CASE NO 8: 13CR105

DEAR JUDGE THALKEN,

I AM CURRENTLY AT AN IMPASS IN MY
 CONTINUED ATTEMPTS TO OBTAIN A TRIAL
 STATUS FROM MY ATTORNEY, JAMES M. DAVIS.

AS CITED IN MY LETTER TO YOU OF DECEMBER
 12, 2013 I HAD ATTEMPTED TO OBTAIN A
 CASE STATUS THROUGH 38 REJECTED PHONE
 CALLS AND 3 UNANSWERED LETTERS TO MY
 ATTORNEY. SINCE THAT TIME, I SENT
 MR. DAVIS A 4TH LETTER OF INQUIRY

DATED JANUARY 2, 2014 AND, OVER THE PAST 48 HOURS, I HAVE ALSO MADE 17 ADDITIONAL ATTEMPTS TO CONTACT HIS OFFICE BY PHONE; ALL OF WHICH WERE DISCONNECTED BY MR. DAVIS' OFFICE.

I UNDERSTAND THE COURT'S PREFERENCE IN LIMITING COMMUNICATIONS TO LEGAL COUNSEL OF RECORD, HOWEVER, I WILL HAVE BEEN INCARCERATED 280 DAYS AS OF JANUARY 21, 2014; 4 TIMES THE STATUTORY LIMIT UNDER THE SPEEDY TRIAL ACT. WHILE I HAVE CONTINUOUSLY ASSERTED MY INTENT TO TAKE THIS TO TRIAL, MY MANY PLEAS HAVE GONE UNHEARD.

AS ALL AVENUES FOR RESOLUTION HAVE BEEN EXHAUSTED, I AM PRAYING THAT THE COURT WILL ACCEPT THIS REQUEST FOR CONSIDERATION AND PROCEED WITH THE SETTING OF A PRETRIAL CONFERENCE DATE AS REQUESTED ON NOVEMBER 6, 2013.

IN SO DOING, IT IS MY HOPE THAT
THESE AND OTHER ISSUES MAY BE
RESOLVED; ENABLING THIS CASE TO
PROCEED TO A JURY TRIAL AT THE
EARLIEST POSSIBLE DATE.

RESPECTFULLY SUBMITTED,


TIM DEFOGGI

TIM DUFFO #11078
387 N. CHESTNUT ST
WATTD NE 68066



FOREVER
USA

HONORABLE THOMAS D. THALKE
US COURT HOUSE
111 SOUTH 18TH PLAZA, SUITE 2271
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